

The complaint

Mr E complains that Capital One (Europe) plc defaulted his credit card account.

What happened

Mr E held a credit card with Capital One and he'd been struggling to make payments for a number of months. In October 2024, Mr E agreed to make reduced payments for six months. Capital One told Mr E that missed repayments would be reported on his credit file and he may be served a default notice.

Mr E didn't keep to the plan and only made the first payment in October 2024. Capital One sent Mr E a NOSIA (a letter containing a 'notice of sums in arrears') in November 2024.

In December 2024, Capital One sent Mr E a default notice, which explained the required minimum repayment had not been received for at least the last three months. Capital One informed Mr E his account would be defaulted unless he paid the arrears by 17 January 2025. Capital One sent Mr E a further NOSIA on 17 January 2025, which explained it hadn't received his November or December 2024 payments.

As no payment was received by 17 January 2025, Capital One defaulted his account and wrote to Mr E on 21 January 2025 to confirm this. Mr E complained, saying he hadn't received the default notice.

In response, Capital One said it had sent Mr E a default notice, and his account had been defaulted correctly. Capital One accepted it had previously failed to send Mr E his long card number. And after the account had defaulted, it had incorrectly transferred him to an automated payment line when Mr E called to make a payment. To apologise, Capital One credited Mr E's credit account with £50 compensation.

Unhappy with this response, Mr E referred his complaint to our service. Mr E said it was hard to get in touch with Capital One, and he didn't know his card number (after it was stolen) despite asking Capital One to post these to him.

One of our Investigators reviewed Mr E's complaint but didn't think it should be upheld. The Investigator said Capital One sent Mr E proper notice of his arrears and that his account would be defaulted, and the information recorded on his credit file was correct. The Investigator said Capital One acted fairly in paying Mr E £50 compensation. Mr E remained unhappy, so this has come to me for a decision.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

The Information Commissioner's Office sets out that a credit provider should record an account as in default once three to six months of arrears have accrued. Mr E was more than three months in arrears at the time his account defaulted, so I think Capital One was right to

record the account as in default and it is under no obligation to remove the adverse information from Mr E's credit file.

Mr E says he didn't receive a copy of the default notice, but it was correctly addressed and Mr E had received previous correspondence from Capital One. It's not clear why Mr E didn't receive the default notice but it wasn't Capital One's responsibility to ensure the default notice was received. And Mr E was aware of the terms of his repayment plan and responsible for making repayments, so I think he ought reasonably to have known he wasn't keeping to his repayment plan. Capital One had let Mr E know it would record missed repayments and default his account if he did not keep to the plan.

Mr E says he asked for his long card number to make a payment. The details of the payment plan set up in October 2024 gave Mr E the option of paying by direct debit, paying by the app or over the phone. None of these options say the long card number was needed. Only payments by internet banking, telephone banking or standing order required the 16 digit card number. The NOSIAs and default notice sent to Mr E contained his account ID, and Capital One explained Mr E could have used this to make payments. Whilst Mr E did ask for a copy of his card number in November 2024, it's not clear why Mr E didn't call up to chase this information when it wasn't received, or make a payment, before his account defaulted. Given I can't see Mr E made further attempts to bring his account up to date, I can't safely conclude his account would not have defaulted if he'd had his card number.

Capital One has paid Mr E £50 compensation for its errors (not sending the card number and transferring Mr E to an automated payment line). This offer is in line with what I would have awarded had Capital One not already paid it. Given the outstanding balance owed to it, I don't think it was unreasonable for Capital One to put the compensation towards this.

My final decision

For the reasons explained above, I do not uphold this complaint,

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 8 October 2025.

Victoria Blackwood
Ombudsman